



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-3000

OFFICE OF ADMINISTRATION

SEP 12 2012

Mr. Jason Smathers
MuckRock
185 Beacon Street, #3
Somerville, MA 02143

RE: Freedom of Information Act Request
FOIA Control Nos.: 11-FI-HQ-00567 and FI-485098

Dear Mr. Smathers:

This letter is in reference to your Freedom of Information Act (FOIA) request dated July 15, 2011. In your letter, you wish to appeal the clarification that was sent to you dated July 1, 2011, asking for additional information on your original FOIA request dated November 29, 2010. Your original request letter requested all emails and corresponding attachments sent to or from Secretary Shaun Donovan (or any person who communicates on his behalf) from January 20, 2009, to the present, containing any of the following keywords in the subject or body: just between us, breach, big trouble, too late, stupid, bad company, perception issue, the real objective, very slippery slope, or true disaster.

When responding to a FOIA request, the Department of Housing and Urban Development searches for responsive documents existing up to the date that the request is received in the Department's FOIA Branch. Your request was received on December 15, 2010.

Your request is granted in part at no cost to you. Enclosed are the emails that you requested. I am withholding individuals' names, and addresses, under FOIA Exemption 6. Release of this information would constitute an unwarranted invasion of personal privacy. The interest of the general public in reviewing these portions of government documents does not outweigh the individuals' right to privacy. I am also withholding internal information, which consists of program office codes and internal comments pursuant to FOIA Exemption 5. Documents that are inter-agency or intra-agency, which would not be available by law to a party other than an agency in litigation with the agency, are exempt from disclosure. The release of this internal information would reflect the agency's predecisional, deliberative process, and would discourage open and candid advice, recommendations, and exchanges of views within the agency, which could bring about public scrutiny of the individuals and the need to justify in public their tentative opinions.

I am the official responsible for this determination. You may appeal this determination within 30 days from the date of this letter. If you decide to appeal, your appeal should include copies of your original request and this response, as well as a discussion of the reasons supporting the appeal. For Exemption 6, your appeal should address the nature of the overriding public interest in disclosure that outweighs the personal privacy interest protected by the exemption. The envelope should be plainly marked to indicate that it contains a FOIA appeal and should be addressed to:

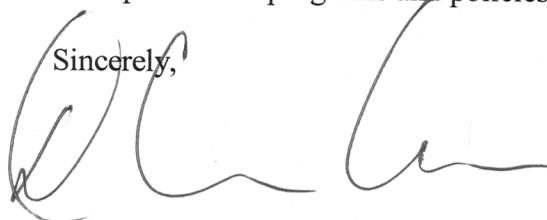
U.S. Department of Housing and Urban Development
Attention: FOIA Appeals
Office of Ethics and Personnel Law
451 7th Street, SW, Room 2130
Washington, DC 20410

Telephone: (202) 708-3815

For your information, your FOIA request including your identity and any information made available is releasable to the public under subsequent FOIA requests. In responding to these requests, the Department does not release personal information, such as home address, telephone, or social security number, all of which are protected from disclosure under FOIA Exemption 6.

If you need additional information please contact Ms. Eugenia Harris at (202) 402-5074. Thank you for your interest in the Department's programs and policies.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Dolores Cole', written over a horizontal line.

Dolores Cole
Director for FOIA and
Executive Correspondence
Office of the Executive Secretariat